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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

Date 11/6/06 Time _____
CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

**CLERK'S MINUTES - CRIMINAL GENERAL
IN CAMERA**

CASE NO. 8:03-cr-77-T-30TBM DATE November 6, 2006

TITLE USA vs. Sami Amin Al-Arian

TIME 8:30 a.m. - 9:00 a.m. TOTAL 30 minutes

Honorable James S. Moody, Jr. Deputy Clerk Sara Boswell

Court Reporter Sherrill Jackson Courtroom 13A

Attorney(s) for Government:
Terry Zitek
Walter Furr

Attorney(s) for Defendant(s):
Jack Fernandez
Lee Fugate

**PROCEEDINGS: IN CAMERA ORAL ARGUMENT re [Dkt. S-69] Motion to enforce
plea agreement as to Sami Amin Al-Arian**

Defendant Sami Al-Arian has been subpoenaed to testify before the grand jury by the Government in the Eastern District of Virginia (EDVA). The EDVA Court has referred this matter to this Court to resolve the matter of Dr. Al-Arian's claim that his plea agreement contained a non cooperation agreement.

Mr. Fernandez argues Defendant Al-Arian's motion and jurisdictional issues. Mr. Fernandez suggests that an evidentiary hearing may need to be conducted regarding the inducement of Dr. Al-Arian to cooperate with the government.

Mr. Zitek presents arguments regarding jurisdictional issues. Mr. Zitek responds to the defendant's motion.

The Court finds that there is sufficient jurisdiction to rule on the pending motion. Dr. Al-Arian's assertion that his plea negotiations gave him immunity from being subpoenaed is not supported by his plea agreement.

The Government has also filed motions to unseal. The Court grants the Government's request to unseal and will unseal all of the documents related to this hearing. A written order will be issued.

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